



NORFOLK

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May 24, 2016

To the Honorable Council
City of Norfolk, Virginia

R-14

Re: Council Electronic Communication from Remote Location

Dear Ladies and Gentlemen:

Attached is an ordinance approving and governing a policy allowing a Council member to participate in Council meetings remotely by electronic communication in accordance with Va. Code §2.2-3708.

Respectfully,

A handwritten signature in black ink, appearing to read "Bernard A. Pishko".

Bernard A. Pishko
City Attorney

BAP:lm
Attachment

Form and Correctness Approved:

By

Office of the City Attorney

NORFOLK, VIRGINIA

Contents Approved:

By

DEPT.

ORDINANCE No.

AN ORDINANCE APPROVING A POLICY ALLOWING FOR AND GOVERNING PARTICIPATION OF MEMBERS OF THE NORFOLK CITY COUNCIL IN A MEETING BY ELECTRONIC COMMUNICATION MEANS FROM A REMOTE LOCATION.

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BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the attached policy allowing for and governing participation of members of the Norfolk City Council in a meeting by electronic communication means from a remote location that is not open to the public, as provided by Section 2.2-3708.1 of the Code of Virginia, as amended, is hereby approved.

Section 2:- That upon adoption the attached policy shall be strictly and uniformly applied, without exception to the entire membership, and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

Section 3:- That this ordinance shall be in effect from and after its adoption.

Policy and Limits of Remote
Participation in City Council Meetings

1. Qualifying Reasons

A member of a public body may participate in a meeting through electronic communication means from a remote location that is not open to the public.

a. On or before the day of a meeting, a member of the public body holding the meeting notifies the chair of the public body that such member is unable to attend the meeting due to an emergency or personal matter and identifies with specificity the nature of the emergency or personal matter, and the public body holding the meeting records in its minutes the specific nature of the emergency or personal matter and the remote location from which the member participated. If a member's participation from a remote location is disapproved because such participation would violate the attached policy, such disapproval shall be recorded in the minutes with specificity.

Such participation by the member shall be limited each calendar year to two meetings or 25 percent of the meetings of the public body, whichever is fewer; or

b. A member of a public body notifies the chair of the public body that such member is unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance and the public body records that this fact and the remote location from which the member participated in its minutes; or

2. Other Requirements

a. Participation by a council member is only authorized if a quorum of the Norfolk City Council is physically assembled at the primary or central meeting location.

b. The Norfolk City Council shall make arrangements for the voice of the absent council member to be heard by all persons in attendance at the primary or central meeting location.